

Department of Human Services

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Articles in Today's Clips Monday, April 9, 2007

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Published April 8, 2007

Udow: Safe Delivery can ensure newborn safety

The recent story about the tragic death of a newborn abandoned in Ypsilanti Township last week is an unfortunate reminder of the lack of awareness about Michigan's Safe Delivery of Newborns law.

Passed by the Michigan Legislature in 2000 as Public Acts 232, 233, 234 and 235 and amended by Public Act 488 of 2006, Safe Delivery seeks to prevent a desperate, panicked, parent from abandoning a newborn by providing a safe, legal and anonymous way to surrender the newborn - a choice that protects the mother's and father's future as well as the infant's.

Michigan's Safe Delivery law allows the birth parent(s) to anonymously surrender a newborn to an "emergency service provider"— an employee inside and on duty at a hospital, fire department, a police station or a paramedic or emergency medical technician responding to a 9-1-1 emergency call— with no legal repercussions as long as the child is unharmed and no more than three days old. A parent surrendering a child under Safe Delivery is encouraged to provide as much medical history as possible with assurances that the information provided will be kept confidential.

Since Safe Delivery of Newborns became law in 2001 there have been 44 infants surrendered to emergency service providers around Michigan. These children are placed with a licensed adoption agency with a goal of permanent adoption in a loving home.

The Safe Delivery of Newborns program also provides information to young mothers and fathers about services and supports for pregnancy related issues and can help explain laws regarding Safe Delivery and adoption.

For more information about Safe Delivery, call the toll free 24/7 hotline at (866) 733-7733 or go online to the Department of Human Services Web site at www.michigan.gov/dhs and click on the "Safe Delivery of Newborns" icon on the right side of the screen.

Because public and professional awareness of the Safe Delivery of Newborns law is critical to ensure that frightened parents know there are safe alternatives to abandonment, Governor Jennifer Granholm has proclaimed April 10 Safe Delivery of Newborns Day in Michigan in an effort to raise awareness about the law.

Marianne Udow is the director of the Michigan Department of Human Services.

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They seek justice for Tara

Prosecutors in Grant case are dedicated friends

April 8, 2007

BY CHRISTY ARBOSCELLO

FREE PRESS STAFF WRITER

Macomb County Prosecutor Eric Smith depends on a small group of trusted friends in his office -- and he needs them now more than ever before.

They are among the first people he told that he was eyeing the elected seat, over \$1.99 burger specials at the former Post Bar in Mt. Clemens. And two of those confidants, trial chief Therese Tobin and homicide chief Bill Cataldo, will accompany him into his first courtroom trial since he became prosecutor in 2004.

The trial of the high-profile Stephen Grant case would be daunting for any prosecutor. There has been national attention surrounding the 37-year-old Washington Township man, who gave a statement to police allegedly spelling out how he strangled and dismembered his 34-year-old wife, Tara Lynn Grant.

A trial date hasn't been set, but a preliminary court hearing to examine evidence against Stephen Grant is slated for May 15.

In this case, Smith said he anticipates more motions, police reports, scrutiny and drama than any other case the department has handled. The top prosecutor, who regularly juggles administrative duties with news media calls, will need his staff to help him gear up like never before.

"It's too much for one attorney," he said. "It's too much for two attorneys."

Focusing on the grisly facts

For Cataldo and Tobin, that means helping Smith strip down the case. That may include attempts from the defense team to suppress information about the investigation or to toss out Grant's alleged confession.

Cataldo said focusing on the grisly facts of the case -- authorities discovered Tara Grant's remains scattered in a wooded field and her torso in the garage of the house the couple shared with their 4-year-old son and 6-year-old daughter -- will be key.

"Despite all the media attention, we have a strangulation and a dismemberment," Cataldo said. "Our focus is to handle all of that but never lose sight that two children are without parents."

For now, the prosecution team spends lots of time together, mulling over a 6-inch stack of police reports with more expected from northern Michigan, where Grant was captured, as well as crime-scene evidence.

"The only way we could meet more on this case is to live together," Smith said.

So far, the team has won an early victory in the case. A judge recently ruled in its favor: Grant's alleged confession and nearly 500 pages of discovery can be made public. But there are more court battles ahead.

"There's no set formula on how to tackle the trial at this point, but there's lots of strategies. We bounce ideas off each other all the time," Tobin said. "Everybody respects each other's abilities."

He goes after the bad guys

That they would be working together on a case of this magnitude was a far-away thought for the three prosecutors years ago, when Smith first hatched the plan to run for the chief law enforcement position in Macomb County.

But in some sense, Smith, 40, always knew he would be here.

Growing up, he knew he wanted to put away bad guys, just like his father did. Robert Smith headed the Clinton Township Police Department during most of his son's upbringing.

"Law enforcement was in my blood," Smith said, adding that his father's example is "what drove me to this."

Before the elder Smith passed away in 2000, his son already was planting the seeds for his future. After graduating with a bachelor's degree from Central Michigan University, he received a law degree from the Detroit College of Law. In 1993, he started with the prosecutor's office, where he went on to hold several positions.

Smith's biggest challenges unfolded during an eight-year stint on the sex-crimes unit, where he handled a number of child-abuse cases and oversaw the unit. That also is where Smith first worked with Tobin, a law school pal.

Smith, who has a 2-year-old daughter, Ella, said the crimes in that unit are difficult and emotionally draining.

"Not only do you get personally attached to the case, you get personally attached to the children because they know you're fighting for them," he said.

Now, he is fighting for Tara Grant, alongside a team that has been supportive of him from day one. On the night of that casual dinner when he announced his intentions to his friends, Cataldo, Tobin, chief of staff Ben Liston and chief of operations Jim Langtry offered unwavering support at their old bar haunt. They each wrote a check for his campaign right there.

"At that time, it was just a pipe dream for us to be in these seats," Smith said.

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Published April 8, 2007

Auction to help children

EAST LANSING — Want an opportunity to be the winning bidder on a vacation in a European castle, or boxing gloves and a robe worn and signed by Muhammed Ali?

The 5th Annual Cherish the Children Auction, held at the Breslin Center on the Michigan State University campus on May 1, will raise funds and awareness to support more than 70 local child abuse and neglect prevention councils, along with more than 70 community-based direct service programs aimed at child issues.

Last year \$375,000 was raised to support 72 local child abuse and neglect prevention councils, serving 82 of 83 counties in Michigan. More than 78 community-based direct service programs across the state were funded as well.

The silent auction begins at 5 p.m., along with hors d'oeuvres and an open bar, and the live auction begins at 7:30 p.m. Sponsorships, auction item donations and ticket purchases are 85 percent tax deductible.

Silent and live auction items include two tickets to the Oprah Winfrey Show, or NASCAR pit passes for Father's Day weekend, the chance to be a Top Gun Fighter for a day, and a Steve Yzerman Red Wings jersey,

Tickets are \$100 each and are available at the Curves Clubs in Haslett, (517) 339-4030, East Lansing, (517) 332-6119 or Grand Ledge (517) 622-8400.

— *From Curves.*

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Punish those who don't protect

FLINT JOURNAL LETTER TO THE EDITOR

LAPEER CITY

THE FLINT JOURNAL FIRST EDITION

Monday, April 09, 2007

By Kimberly Prining

JOURNAL READER

The Flint Journal gave the Department of Human Services a pass in the recent editorial ["'Rose's Law' needed?" Our Views, March 20, Page A10]. Right alongside of Rose Kelley's parents in that jail cell should be every judge, attorney, court worker, "family counseling professional" and their superiors who knew about the deplorable conditions in which this precious child and her siblings were living and did nothing to stop it.

As one whose family was victimized by the ineptitude of the Genesee County court system for nearly 20 years, I can attest to the fact that it is all about politics, pass the buck and cover your rear. Rarely are the best interests of the children considered.

It is the responsibility of The Journal to scrutinize and investigate this entity and report abuses of children to the public. Further, it is the responsibility of the state Legislature to enact and put teeth in a "Rose's Law" that holds any and every officer of the court criminally accountable for the neglect or death of a child under their supervision.

Too often, the Genesee County court system creates, contributes to or exacerbates a hostile family situation that punishes only the parents, innocent or not. It is time for those who fail to do their job of protecting our children to share the blame in the harshest manner possible.

Kimberly Prining

Lapeer

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April 9, 2007

Reform state law that creates more orphans

Well-meaning child care laws have caused a dramatic increase in what one judge calls "state-created orphans" -- children who have been removed from their parents but who have not been adopted.

Michigan judges need more options and flexibility in dealing with children in troubled families.

Currently, too many are being removed from their parents through "termination of parental rights" orders, with no chance of ever again having a legal relationship with their parents. If they are not adopted, they often find themselves passed from foster home to foster home, with no real permanent family relationship being formed.

According to an analysis by Wexford County Chief Probate Judge Kenneth L. Tacoma, the number of child wards of the state soared from 1,716 in 1986 to 6,227 in 2004. In 2004, the number of children who hadn't been placed in a permanent home was 1,818, up from 105 in 1986. Even more tragically, the number of children deemed "unadoptable" in that year was 1,716, up from 677 in 1986.

Tacoma notes that the number of births during this period declined, so the percentage of children who became wards of the state increased as a percentage of all children. And the total number of unplaced children in the care of the state in 2004 was more than twice the number of all child wards of the state in 1986.

To a large extent, in Tacoma's analysis, the cause of this increase in children without real families is a 1996 change in state law that triggered a large increase in what Chief Wayne Probate Judge Milton Mack calls "the nuclear option -- termination of parental rights." Mack agrees with Tacoma's analysis on what Tacoma calls the law's forced "rush to termination."

Children, Tacoma points out, want to be with their biological parents -- no matter how abusive. He quotes one child psychologist who testified in his court that "I've seen kids that have been burned half to death that want to go back to the people that have burned them."

Obviously, that shouldn't be allowed to happen. But the increasing number of kids who are returned to the court system after failed adoptions testifies to the strength of that impulse. And Mack notes that the rise in foster parents created by "the nuclear option" has increased the number of chances that children will be abused as badly or worse by the foster parents as by the biological parents.

Supreme Court Justice Maura Corrigan formed a work group to respond to Tacoma's analysis. It has suggested, among other things, that judges be allowed to create "guardianships" for children without permanently ending parental rights.

Under such guardianships, a child can be placed with a relative or foster parent who can be given the power to make decisions on behalf of the child without permanently ending a natural parent's rights. That way, the situation could be reviewed and a parent's rights could possibly be restored if their situation -- drug addiction, unstable relationships, or whatever -- improves.

The work group also suggested that judges be notified if children are moved from foster home to foster home. Often, that is a sign that the court should intervene. And the group recommended changes in the standard for permanently ending parental rights. Currently, the law tends to force that decision, with little discretion or option for the judges.

Society already creates too many children who are, in Tacoma's words, "rootless and alienated." The law shouldn't create more.

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ANN ARBOR NEWS LETTERS

Sunday, April 08, 2007

Ozone House helps fill the foster care gap

Articles printed on Sunday, April 1, highlighted an important gap in services for youth who "age out" of foster care. Thank you for providing this information to our community. I was dismayed, however, that you failed to mention the premier provider of the services these young people need: Ozone House. The staff at Ozone House provide housing and life-skills support to homeless young people in a variety of circumstances.

Over 20 percent of the youth they serve annually have "aged out" of the foster care system, like the young people you featured in your story. We are fortunate to have such a caring, effective and well-run organization in our county.

It is a shame that you did not use the opportunity of the recent articles to further inform your readership of Ozone's services. Ozone can be reached at 734-662-2265.

Elizabeth Warren, Ann Arbor

Roberts AFC to lose license

By James Martinez, Gaylord Heralds Times Staff Writer

Posted Saturday, April 7, 2007 12:18 AM EDT

LANSING — A Hayes Township adult foster care home operator whose license was suspended by the state in December has withdrawn her appeal in the matter, which had been set for a hearing April 10 in Lansing.

Elliot Blumberg, who represents the home's owner, Phyllis Roberts, acknowledged Friday the appeal has been withdrawn. "We're just trying to work out some resolution for the case and allow her to operate," he said, adding negotiations continue.

Meanwhile, the license for her six-bed facility remains suspended. DHS spokesperson Karen Stock who reported Roberts had withdrawn the appeal, said DHS will continue the license revocation process.

The Michigan Dept. of Human Services (DHS), Office of Children and Adult Licensing, suspended and issued a notice of intent to revoke the license of Roberts Gentle Care AFC Home, effective Dec. 9, 2006. The suspension and notice of intent to revoke followed a Dec. 6 complaint investigation which allegedly revealed several violations of the Adult Foster Care Facility Licensing Act and adult foster care home rules.

According to a Dec. 11, 2006, DHS press release, those violations alleged licensee suitability; restricting the movement of a resident by tying or binding; and resident nutrition and rules regarding medication.

Blumberg told the Herald Times earlier this week the April 10 hearing may not be held as he believed a compliance conference with the state last week, the defense refuted the majority of the allegations, while admitting a few of the minor allegations. He said the matter could be resolved as the state considered evidence presented at the conference.

According to Blumberg, the defense presented evidence such as a doctor's note that such restriction of movement was needed to care for the patient.

A previous hearing scheduled for Feb. 13 was apparently adjourned. At that time, DHS spokesperson Maureen Sorbet declined comment on the specifics surrounding the case or

why the date was not held.

Blumberg blamed the state, saying it did not conduct the compliance conference, forcing the administrative law judge presiding over the hearing to adjourn the proceeding. Such a conference is intended to allow the licensee to address the allegations to see if there was truth to the allegations and sometimes resolves the issue altogether, said Blumberg.

Roberts AFC had been licensed since Oct. 27, 1999.



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Published April 8, 2007

Robert Drake: Solutions for juveniles

Robert Drake is a retired judge and a resident of Okemos.

Michigan's large prison program has caused mid-America's highest crime rate and \$2 billion prison budgets. The current crisis involves who to let out; the continuing problem is who is being put in.

Two measures at the front end of abuse and crime will cut admissions in half and better protect the public:

1. Restore court jurisdiction to order treatment of substance addiction.

Act 258 of 1974 eliminated court authority to order treatment of alcohol and drug addicts. Since elimination of this important interim step, society has no protection until crimes are committed.

Statistics now show 75 to 80 percent entering prison have histories of alcohol or drug abuse - major factors in deaths on highways, domestic abuse, assaults, rape and homicide.

The "burning bed" case; the Moy child whose killer "reeked of alcohol;" and teens dealing drugs are all local examples.

Since 1974, the abused must seek injunctions and shelters and children are being placed with relatives or in foster care.

The abuser is free until incarcerated for a crime; the true issue remains unaddressed.

The act also pulled the rug from under voluntary programs.

Denial being the biggest obstacle to treatment, the alternative families and police had to seek court intervention was eliminated.

It is argued criteria for ordering treatment are too subjective.

Quantities consumed, duration of binges, resulting repeated physical abuse and loss of employment are measurable. With certification by two professionals, time-limited commitments and reviews, and full panoply of rights for the respondent, protection of rights equals or exceeds criminal trials.

Following treatment, many, and their families, thanked the court. Not likely following prison sentences.

Act 258 also limited ordering treatment for the mentally ill, essentially until they commit crimes.

Predictably, it is now estimated one in four in Michigan prisons are mentally ill.

2. Replace state-funded prison incarceration with early intervention, community level-programs for young offenders.

Until the late fifties following "get tough" policies, although more than half of major felonies were committed by persons under 17, Michigan built 10 times as many prison beds as for juveniles. There were no vacancies except in prisons.

By thereafter sharing per diem funding, programs for young offenders, like Highfields, were made possible.

Its residential facility has recidivism of less than 20 percent compared to over 70 percent for prisons.

Its staff and volunteer boards have developed highly successful even earlier intervention programs - assisting youth and families before the need for residential treatment or court intervention.

The bottom line for taxpayers: The state has paid nothing for the facility and less than half of other costs.

It pays the full cost of prisons.

Other local programs show similar success, notably in Wayne County where state commitments have been replaced by a regionalized juvenile justice system.

Measures to assure statewide availability of such programs for young offenders and for early treatment of the addicted will make a safer Michigan, save young lives from prison culture, and a billion in future prison budgets.

Judge Robert Drake, of Empire and Okemos, served 50 years in probate/juvenile courts, including as a referee, register, judge and state administrator. He was founder of Highfields Inc., a community service and outreach organization, with offices in Lansing, Jackson and a facility in Onondaga.

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State glitch delays funds

Mom, kids have to do without

FLINT

THE FLINT JOURNAL FIRST EDITION

Saturday, April 07, 2007

By Ken Palmer

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FLINT - First thing Monday morning, Shirley Smart said, she'll be standing in line at the state Department of Human Services to sign up for general assistance.

It's all because of a glitch in the state's child-support computer system, the Flint mother of five said.

"They have a father in the city of Flint that pays child support, and I have to go to (the DHS)," she said. "And I don't appreciate that."

Smart said she won't have enough money to live on this month because the state mistakenly diverted most of her monthly support check toward an arrearage owed to the state.

Her child support is automatically withdrawn from her ex-husband's Delphi Corp. pension check. Delphi transferred April payments on March 30 because the first of the month fell on a Sunday, she said.

The problem occurred because the state system automatically diverts a second payment in a calendar month to satisfy an arrearage.

Genesee County Friend of the Court John G. Battles said his office has asked the state office to send the money back to her, a process that could take four to six weeks, he said.

The state now handles all collection and distribution of child support, and local FOC offices have no direct control over the process, he said.

"We manually have to pull it back from the state," Battles said. "There's really nothing else I can do for her."

Smart's problem occurred because her ex-husband owes money to the state, he said. If there is no state arrearage, the system holds the payment until the first of the month, he said.

Battles said he hasn't heard of any other similar complaints.

Smart, 47, said three of her children are living with her. The family won't be able to meet its expenses this month, she said.

She's tried to contact Gov. Jennifer Granholm, U.S. Sen. Carl Levin and President Bush, she said.

"I hope this cry for help will help with another family," she said. "They have to straighten this situation out now."

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Article published Apr 8, 2007

GUEST COLUMNIST

Which came first: The homeless or shelter (chicken or the egg)?

Easter is a time of renewal, rebirth and hope. This time of year is a time that we can look forward to change not just in the weather, but in ourselves through salvation and redemption. Too often, we as a community become too entrenched in the mainstream holiday of bunnies and colored eggs. However, an egg is a perfect metaphor for what the Haven of Rest provides for the homeless, not just at Easter, but the other 364 days in the year as well.

Obviously, an egg has a shell that protects the chick while it develops. It is the home and shelter of the chick until it is ready to be hatched. The Haven is that same protective shell for the homeless individuals staying in our six different programs. The Haven's Men's Shelter and Inasmuch House provide a safe shelter for men, women, children and families, and hot meals every day. The men and women at the mission and Inasmuch House receive case management to help them get back on their feet and "hatches" them back into society to become self-sufficient.

Just as the shell of the egg protects the chick in the early stages, it also allows the chick to develop until it is ready to break out and see the world. The Haven not only shelters individuals, it also provides long-term transitional housing to homeless substance abusers through the Life Recovery Program's year-long course. Through this program, men learn life skills and develop the abilities to be self-sufficient and drug-free. The Women In New (WIN) Life Program also cultivates homeless families through life-skills classes, one-on-one case management and counseling in a one- to two-year program.

We all know that once the chick is hatched, care does not stop there. The mother must feed and care for her chick so that it stays healthy. The Haven provides licensed adult foster care for 15 mentally challenged men. Clients are offered access to psychological counseling, assistance with medication and therapeutic recreational opportunities. The Calhoun County Jail Ministry also is part of the Haven and ministers and assists inmates at the Calhoun County Jail. This program hosts support sessions and Bible studies for incarcerated individuals and identifies those requiring emergency shelter upon release.

The Haven of Rest Ministries is a nonprofit, faith-based human services organization that provides emergency shelter, food and life-skills training to homeless individuals. The Haven has been committed to hatching lives of homeless individuals in Battle Creek through providing innovative and exceptional service.

You can assist the Haven in making a difference in the lives of your fellow community members by sharing your resources whether they are time, talent or finances. You can make donations of food, cleaning and office supplies. Lastly, the Haven can utilize community advocates and volunteers who assist the Haven with fundraising and advocacy. Donations go for a worthwhile cause and can save and change hundreds of people's lives. You can start your support today, by mail (with the envelope enclosed in today's newspaper) or drop off at 11 Green St., Battle Creek, MI 49014.

Chris Sizemore is fund development specialist for The Haven of Rest.



Health Plan use levels off

HOMETOWN HEADLINES

GENESEE COUNTY

THE FLINT JOURNAL FIRST EDITION

Sunday, April 08, 2007

By Shantell M. Kirkendoll

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The newest wave of Genesee Health Plan members are healthier, which means doctor visits and specialty care are leveling off, health officials said Thursday.

About 26,000 people are in GHP, health coverage for low-income adults. After the first wave of uninsured adults - many with long-neglected serious illnesses - joined GHP, the newest members are using fewer services, according to an analysis released Thursday.

"We expected that as members established relationships with physicians, their care would become more continuous, better managed and less chaotic," said Robert Pestronk, director of the Genesee County Health Department. "That is exactly what the analysis shows."

The analysis, paid for by local foundations, shows the previously uninsured use health care services at about the same rate as those with traditional insurance. Lansing-based Health Management Associates prepared the study, unveiled as part of Public Health Week.

- Shantell M. Kirkendoll

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Long-term care for elderly takes hit in Michigan

Saturday, April 07, 2007

By David Carrier

Special To The Press

Global warming grabs the headlines but the real climate change is happening all around us right now. The simple fact is that America is getting older: every day 8,000 more Baby Boomers turn 60; our "Greatest Generation" is in its 70s, 80s, and 90s. Despite the rhetoric about the "Me Generation" and the celebrated selfishness of the Boomers (me included), 21 percent of Baby Boomers are right now caring for their parents or have already done so and 64 percent expect to be providing that care, according to a February CBS News telephone poll.

The problem is not that American families haven't stepped up to the need for long-term care; we are faced with a challenge that cannot be fully met on an individual basis. Home care is the first choice of families and patients alike, but providing that care simply wears family members out.

As an "elder law" attorney, I see this every day. Unfortunately, if you need long-term care and your spouse is providing it, chances are he or she will die shortly after you do, much sooner than otherwise expected. Nursing home care is not a luxurious frippery for a few, it is a necessity that affects entire families.

Skilled nursing home care, according to the state of Michigan, costs an average of \$5,938 every month; Extras like oxygen can easily push the total much higher. Our families simply don't have the money to pay for long-term care, and that's why about 65 percent of nursing home residents in America (66 percent in Michigan) rely on Medicaid to pay those bills. The Greatest Generation (and the rest of us) has come to rely on the Medicaid system to provide the care that we cannot. Yes, it is expensive. Yes, it is cumbersome. But if we're not willing to simply kick our seniors to the curb, it is essential.

This month the state of Michigan began to force some of our most vulnerable seniors to choose between paying for the nursing home, the funeral home, and the poor house. If you've just finished your taxes, you know how difficult it can be to follow governmental rules and regulations. The Medicaid rules are worse in complexity and unintended consequences, but still represent a real effort to meet the needs of our seniors and their families.

Current rules allow seniors to prepay their funeral expenses and that's the same. What's different is elimination of a rule that allowed prepaid funeral contracts to count "retroactively." Now, if you have too much money at the end of the month (too much meaning anything more than \$2,000 for a single person), you simply don't qualify for help; tough luck. And if a few months go by before your loved ones figure out the forms; really tough luck. Before the change, you could take that "extra" money, prepay your funeral, and still get the help you need.

Other changes were made and more are coming. After July 1, it looks like more tough luck if (in the last several years) you helped a grandchild with college tuition, tithed to your church or donated to your favorite political party.

Medicaid is the way America and Michigan provides skilled nursing care to our loved ones. It is as simple as that. Cutting back on that commitment through rule changes that have nothing to do with "abuse" of the system is wrong. It is as simple as that.

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Apr 9, 1:35 PM EDT

Deal reached on Texas kids Medicaid case

By APRIL CASTRO
Associated Press Writer

AUSTIN, Texas (AP) -- The state will significantly improve medical care available to poor children under a draft agreement presented to a federal judge Monday that could end a 14-year-old lawsuit over children's Medicaid.

U.S. District Judge William Wayne Justice gave attorneys until the end of the month to submit a final draft of the agreement, which affects more than 2 million children in Texas who rely on the government for health and dental care.

Lawmakers wanted to settle the case to avoid a potentially costly and burdensome mandate from the judge.

The case stems from a class-action lawsuit filed in 1993 claiming the state did not provide adequate care for children enrolled in Medicaid.

Among the items addressed in the settlement are Medicaid provider reimbursement rates. The state cut those rates in 2003, when the state was facing a \$10 billion shortfall in its two-year budget. Children's health care advocates complained the rates were so low, doctors were increasingly choosing not to participate in Medicaid, making health care options difficult to find in many rural parts of the state.

The availability of medical and dental care in rural areas as well as access to transportation also would have to improve under the agreement.

The Legislature will have to pay for and implement many of the settlement terms in a two-year state budget that is already in the works.

Susan Zinn, lead attorney for the plaintiffs, asked that the judge wait to sign off on the settlement until after the legislative session ends May 28 so he can ensure that lawmakers have done what they promised.

April 6, 2007

SPADE: STATE SHOULD TAKE SERIOUS LOOK AT D.H.S. ACCREDITATION

The chair of the House Appropriations Human Services Subcommittee believes the state should be taking a hard look at formally accrediting its public services, both to match what private childcare providers are doing and to address what is a growing trend around the nation.

[Rep. Dudley Spade](#) (D-Tipton) said four states, including nearby Illinois, have gone through an accreditation process with their state departments and seven states are in the process of doing the same.

“This should be a goal. It should be something we use to strengthen our system,” he said.

While accreditation would potentially be expensive for the department, Mr. Spade said it would go through all of the department’s practices from the ground up. In light of the state being sued for conditions with its foster care system, Mr. Spade said everyone is looking to provide a long-term solution to bettering what services the state provides.



Getting a ride on the state budget

Taxpayers fund cars for judges and others

April 8, 2007

BY JENNIFER DIXON

FREE PRESS STAFF WRITER

Michigan's highest judges enjoy a perk that dates back to some of the state's more prosperous days -- taxpayer-financed cars that they can use for commuting, court duties, personal errands and even vacations.

The free cars aren't just limited to judges. Last year, taxpayers also provided cars to 10 staff members for the state Supreme Court and Court of Appeals. In all, the tab added up to more than \$400,000.

Although that's a speck in the state's \$42-billion budget, critics say it's a perk Michigan can ill-afford at a time when the state is grappling with a deficit that rose to \$942 million this year before a round of cutbacks brought the shortfall to \$686 million. Take-home cars, the critics say, can create the wrong impression with taxpayers in a tough economy.

"Everyday taxpayers, when they get a job, are generally expected to provide their own transportation," said Leon Drolet, a Macomb County commissioner and chair of the Michigan Taxpayers Alliance, which advocates lower taxes.

"Public servants are supposed to be that -- public servants -- not a class above citizens. ... I don't know why any elected official should have a car for general, full-time use."

Some high-ranking government officials also get cars. The state currently pays the leases, insurance, maintenance and gas bills for 20 state officials, including the attorney general, department heads and even the state's drug czar. Last year, cars for top officials cost taxpayers \$147,000. Unlike judges, though, those officials are only to use their cars for business and commuting.

'Perfectly permissible'

Justices and appellate judges said in interviews that the car perk was longstanding and an appropriate part of their compensation. The state's seven Supreme Court justices are paid \$164,610 a year. The state's 28 judges on the Court of Appeals receive \$151,441.

Supreme Court Chief Justice Clifford W. Taylor said he uses his car, a 2005 Ford 500, for work, commuting, law school visits, ceremonial functions, and occasional trips to the grocery and for dinners out. While his vacations don't typically involve a state car, he said, using one "would be perfectly permissible."

"That is the reigning interpretation. I've never heard anyone challenge it."

But vehicles are not a given for top judges elsewhere.

Federal judges, with life appointments, don't get a car.

Neither do the Supreme Court and appellate judges in neighboring states, such as Wisconsin, Ohio or Indiana, where judges are actually barred from having state cars. Justices and judges in Illinois may be assigned a car for security reasons.

In all, Michigan provides 287 take-home cars to employees, not including the vehicles for judges and staffers. Most of those go to law-enforcement personnel and transportation emergency responders.

Liz Boyd, a spokeswoman for Gov. Jennifer Granholm, said that figure is down from the 420 take-home cars in the state's fleet in the months before she took office. Boyd added, though, that a "complete review" of the vehicle policy is under way.

Michael LaFaive, director of fiscal policy for the Mackinac Center for Public Policy, a conservative, free-market research institute, said even when the state is awash in cash, free cars are not a "responsible expenditure, unless it involves the physical security of a high-profile member of our government."

"I understand why the governor needs a car with an officer next to her," LaFaive said.

But he said he doesn't understand why many others in government or on the bench get take-home cars.

"If we can't clip items such as this from the budget, then any idea that we've cut to the bone is almost humorous," he said. "What we have is a privileged class of government employees that even when times are bad, are not being asked to sacrifice to the same degree."

Part of the package

The practice of giving Court of Appeals and Supreme Court members use of cars apparently dates to 1965, when T. John Lesinski was made the new Court of Appeals chief and negotiated to have his colleagues receive free vehicles in the state budget.

The Supreme Court justices later obtained the same privilege, though Taylor said its origins are lost in the "mist of history."

According to figures compiled by Supreme Court spokeswoman Marcia McBrien, the vehicles for Supreme Court justices and appeals judges cost taxpayers \$423,000 for the budget year that ended Sept. 30, 2006.

Michael Indenbaum, a tax specialist at Honigman Miller Schwartz & Cohn, a Detroit law firm that handles some matters for the Free Press, likened an employer-provided car to an extra \$850 a month in salary.

Taylor said good compensation is necessary to attract the best talent to the bench.

His test: "Is this compensation level such that a person can send a child away to college? Such that a person can live as most skilled lawyers live? If you can reach those goals, you probably get the kind of person you want to serve in the Michigan judiciary. We offer a compensation package which gets the right kind of people interested in being judges."

Court officials also note that the salaries of Supreme Court and appeals court judges have not changed since 2002 and are set by the State Officers Compensation Commission.

Court of Appeals Chief Judge William Whitbeck said: "The question is, how do you want to compensate judges on the court of appeals? And for 40 years, the collective wisdom has been, through good times and bad, to compensate them in part through the provision of a state vehicle."

He said appeals judges hear cases in Lansing, Detroit and Grand Rapids and, twice a year, three judges are dispatched to the Upper Peninsula or Northern Michigan for court hearings.

Some Michigan judges use their cars extensively, for personal and professional uses -- though they pay taxes on the personal miles, including their commutes.

Judge Peter D. O'Connell, for example, who lives in Mt. Pleasant and works in Lansing, put 39,307 miles on his 2004 Jeep Liberty last year. He declared 20,296 miles as personal.

Some justices and judges said when they're in doubt about whether a trip is personal or professional, they declare it personal and pay the taxes.

"I try to err on the side of treating everything as a personal mile if there's any uncertainty," said Justice Stephen Markman, who put 21,661 miles on his 2004 Buick LeSabre last year, including 18,257 identified as personal.

Justice Elizabeth Weaver put 3,000 personal miles on her 2005 Dodge Grand Caravan.

Crossing the state

Granholm's transportation is provided by the Michigan State Police, which also handles business travel for Lt. Gov. John Cherry.

Other state officials who have take-home cars, from the attorney general to more obscure bureaucrats like the chief of the state's workers compensation agency, can use the vehicles for business reasons, which the state says includes commuting to work, but aren't allowed to use them for things like running weekend errands or taking personal trips. The Internal Revenue Service requires them to pay taxes on personal miles, including commuting to work.

Officials with take-home cars defended their use, saying they routinely cross the state on business.

Attorney General Mike Cox has a state-funded 2005 Ford Escape Hybrid. During the one-year period that ended Oct. 31 -- he stopped using the car in August while he ran for re-election -- he put 38,380 miles on the vehicle at a cost of \$18,723.

His spokesman, Rusty Hills, said Cox, as chief law enforcement officer, must be on the road a lot because he's responsible for offices from Detroit to Escanaba in the Upper Peninsula and meeting frequently with law enforcement statewide.

"When people elected Mike Cox, they did not elect a potted plant. Since the day he was elected, he's been on full throttle."

Cox's 16,698 personal miles were largely for commuting, Hills said.

"You won't find him on a beach in Florida with his state car," said another AG spokesman, Matt Frendewey.

Patricia L. Caruso, director of the Department of Corrections, put 33,763 miles on her state-funded 2006 Chevrolet Equinox. Corrections spokesman Russ Marlan said Caruso travels extensively to stay on top of matters affecting the state's 42 prisons, eight minimum-security camps and parole-probation offices.

But Secretary of State Terri Lynn Land eschews the perk and instead drives her own vehicle, a 2004 Chevy Tahoe.

Spokeswoman Kelly Chesney said Land did not want to be put in the position of using a state car for personal reasons.

"She never wanted to cross that line," Chesney said.

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Cars for others

April 8, 2007

High ranking state employees with take home cars:

Employee	Title	Vehicle	Total Miles	Cost	Personal Miles	Percent Personal Miles
Michael Cox*****	Attorney General	2005 Ford Escape	38,380	\$18,722.73	16,698	43.5
Patricia L. Caruso	Director, Michigan Department of Corrections	2006 Chevrolet Equinox	33,763	\$15,379.74	13,862	41.1
Steven Chester	Director, Michigan Department of Environmental Quality	2005 Ford Escape	17,818	\$10,274.35	6,390	35.9
Thomas McTavish	Auditor General	2002 Mercury Grand Marquis	18,111	\$9,506.49	16,097	88.9
Marianne Udow	Director, Michigan Department of Human Services	2005 Ford Taurus	32,403	\$8,487.11	14,931	46.1
Gary Peters	Lottery Commissioner	2006 Chevrolet Impala	32,355	\$8,480.91	2,722	8.4
Rebecca Humphries	Director, Michigan Department of Natural Resources	2006 Ford Escape	20,922	\$8,065.16	10,370	49.6
Lisa Webb Sharpe	Director, Michigan Department of Management and Budget	2006 Ford Escape	19,950	\$7,488.10	8,878	44.5
Jay Rising****	Former State Treasurer	2003 Ford Taurus	3,185	\$7,033.11	2,525	79.3
Jack Nolish	Director, Michigan Workers' Compensation Agency	2002 Pontiac Bonneville	22,533	\$6,848.03	2,487	11.0
Christine White	Racing Commissioner	2005 Ford Taurus	21,777	\$6,611.92	10,516	48.3
Dr. Kimberlydawn Wisdom	Michigan Surgeon General	2005 Ford Taurus	19,928	\$6,430.93	10,603	53.2
Patricia Lockwood	Special Projects Coordinator, Department of Agriculture	2005 Chevy Tahoe	29,126	\$6,065.58	4,420	15.2
Sharon L. Gire	Director, Michigan Office of Services to the Aging	2001 Ford Taurus	17,287	\$5,968.14	0	0.0
Janet Olszewski	Director, Michigan Department of Community Health	2005 Ford Taurus	8,035	\$4,808.42	137	1.7
Linda Parker	Director, Michigan Department of Civil Rights	2006 Dodge Stratus	10,267	\$4,208.19	7,556	73.6

Michael P. Flanagan	Michigan Superintendent of Public Education	2006 Ford Escape	18,355	\$3,749.25	1,597	8.7
Patrick Barrie*	Deputy Director for the Mental Health and Substance Abuse Administration of the Michigan Department of Community Health	2002 Chrysler Concorde	4,354	\$2,782.34	0	0.0
Donald Allen Jr.*	Director, Office of Drug Control Policy	2006 Dodge Stratus	6,974	\$2,202.20	0	0.0
Col. Peter Munoz*	Director, Michigan State Police	2005 Chevrolet Impala	7,755	\$1,217.04	0	0.0
Col. Tadarial Sturdivant***	Former Director, Michigan State Police	2005 Chevrolet Impala	19,139	\$1,119.24	0	0.0
Robert Kleine*	State Treasurer	2006 Chevrolet Impala	2,084	\$811.55	23	1.1
Dan Gustafson**	Former Executive Director, Michigan Gaming Control Board	2002 Chrysler Concorde	10,309	752.94	3,913	38.0
Mitch Irwin*****	Director, Michigan Department of Agriculture	2006 Chevrolet Tahoe	24,322	\$146.51	5,589	23.0
Kirk Steudle*, *****	Director, Michigan Department of Transportation	2006 Chevrolet Impala	14,439	\$0.00	3,591	24.9
Carol Isaacs*****	Chief Deputy Attorney General	2002 Ford Taurus	1,136	NA	546	48.1
Gary Gordon*****	Former Chief Deputy Attorney General	2002 Ford Taurus	7802	NA	1,149	14.7
Total			462,509	147,159.98	144,600	31.3

NA = Not Available

*Vehicles were assigned for a partial year

**Resigned Nov 24, 2006.

***Retired June 9, 2006.

****Resigned February, 2006.

*****Gordon left August, 2006 and was replaced by Isaacs September, 2006.

*****Used his own vehicle beginning August 2006.

*****Vehicle donated by GM

*****Vehicle owned by MDOT

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Article published Apr 8, 2007

Udow announces local DHS board appointments

Submitted by the Michigan Department of Human Services

Michigan Department of Human Services (DHS) director Marianne Udow announced the appointments of 82 county DHS board members for terms expiring October 31, 2009. (See list of counties and appointees below).

The three-member DHS boards represent communities in an advisory capacity to county agencies. The county board of commissioners appoints two members of each board and the third is appointed by the state DHS director.

Udow said, "County DHS board members play an important role in the successful delivery of financial and other services to residents of Michigan counties."

For more information go to www.michigan.gov/dhs.

County name State appointee (residence)

Alcona Noel O. Lemere (Harrisville)

Alger Carol A. Verbunker (Munising)

Allegan B. Jay Bortz (Allegan)

Alpena Lynn A. Wallace (Alpena)

Antrim William Holland (Elk Rapids)

Arenac Marycloe Penred (Standish)

Baraga JoDean Lindermann (Pelkie)

Barry Dr. R. Troy Carlson (Hastings)

Bay Joseph D. David (Bay City)

Benzie Barbara Moss Keelan (Lake Ann)

Berrien Gene Rose (Rose City)

Branch John Heator (Union City)

Calhoun Dr. William Comai (Battle Creek)

Cass Merri Terborgh (Marcellus)

Charlevoix Thomas F. Conlan (Charlevoix)

Cheboygan Ned W. Taylor (Cheboygan)

Chippewa Jami Moran (Brimley)

Clare Marion Bond (Harrison)

Clinton Barbara Baumann (DeWitt)

Crawford Cynthia A. Timmons (Grayling)

Delta Gladys Elegeert (Gladstone)

Dickinson Barbara J. Oliver (Kingsford)

Eaton Linda Appling (Lansing)

Emmet Fred E. Rogers (Harbor Springs)

Genesee Vera Rison (Mt. Morris)

Gladwin Susan Sprang (Gladwin)

Gogebic Marie Kangas (Ironwood)

Grand Traverse Leo J. Hughes (Traverse City)

Gratiot Diane K. Chineduh (Ithaca)

Hillsdale Annette Magda (Hanover)

Houghton Gordon E. Jukuri (Chassell)

Huron Michael Krause (Bad Axe)

Ingham Kimberly A. Coleman (Lansing)

Ionia Don Lehman (Ionia)

Iosco Robert W. Elliott (East Tawas)

Iron Frank Groeneveld (Crystal Falls)

Isabella Thomas Moffit (Mt. Pleasant)

Jackson Kendra M. Suddeth (Jackson)

Kalamazoo Barbara Rider (Kalamazoo)

Kalkaska Betty Blake (Kalkaska)

Kent Dr. Julia Ann Guevara (Grand Rapids)

Keweenaw Jacqueline Jaaskelainen (Mohawk)

Lake Barbara Maiville (Irons)

Lapeer Joanne F. Densmore (Lapeer)

Leelanau Carol Smith (Traverse City)

Lenawee Landis C. Stewart (Adrian)

Livingston Nancy Rosso (Brighton)

Luce Sally Burke (Newberry)

Mackinac Helen Johnson (St. Ignace)

Macomb Dr. James E. Thompson (Chesterfield)

Manistee Barbara Hansen (Manistee)

Marquette Robert E. Moore (Marquette)

Mason Gail Johnson (Ludington)

Mecosta Janice Covey (Canadian Lakes)

Menominee Margaret Ann Bastien (Menominee)

Midland George W. Yost (Midland)

Missaukee Janelle Soltman (Cadillac)

Monroe Not available

Montcalm Don Lehman (Ionia)

Montmorency Calvin Melchert (Lewiston)

Muskegon Robert Carter (Muskegon)

Newaygo Dallas Dean (Grant)

Oakland Harold Harris (Pontiac)

Oceana Marilyn Steiner (Pentwater)

Ogemaw Deborah Williams (West Branch)

Ontonagon Barbara Braithwaite (Ontonagon)

Osceola Carol Edstrom (LeRoy)

Oscoda Calvin Melchert (Lewiston)

Otsego Thomas Mammoser (Gaylord)

Ottawa Frances Gamez (Holland)

Presque Isle Dr. Roy Peterson (Millersburg)

Roscommon Christine Bennett (Roscommon)

Saginaw John Campbell (Saginaw)

St. Clair John Kendrick (Marysville)

St. Joseph Larry Rosenberg (Sturgis)

Sanilac Elaine Sawyer (Port Sanilac)

Schoolcraft Duane Waters (Manistique)

Shiawassee Cynthia Civile (Owosso)

Tuscola Douglas W. Hall (Caro)

VanBuren Willa Kenoyer (Lawrence)

Washtenaw Susan Kaufman (Ann Arbor)

Wayne James Perry (Allen Park)

Wexford Edgar Powell (Manton)
